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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Simo Maenpaa
Title: TREADMILL ARRANGEMENT
Serial No.: 09/894,803
Filing Date: June 29, 2001
Examiner/Unit: Stephen R. Crow/3764
Attorney Docket No.: TU2X-1-1004 (Formerly TU1.P29)

RESPONSE TO FINAL OFFICE ACTION

COMMISSIONER FOR PATENTS:

RESPONSE

25315

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TU2X-2-1001ROA7

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Dear Sir:

In response to the most recent Office Action in this case dated January 10, 2008, the Applicant acting through his attorney replies as follows:

Initially the Examiner rejected Claims 3, 5, 10, 12, 13, 15, 17-19 and 20 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification (1) in such a way as to enable one skilled in the related art to make and/or use the invention and (2) in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

In response to these rejections, Applicant states that the rejected claims are clearly supported by the specification and specifically by Paragraphs 0011 and 0012 and FIGURES 3 and 4 in the specification. Please note that the specification says as follows in paragraph [0016]:

A receiver 42 that is fixedly attached to the treadmill, in this case the receiver part of the heart rate monitor Polar PCBA RX2000 or RMoD1, receives the signal 40. The strength data of the received signal 40 is read at the receiver measurement point or directly from the receiver coil. On the basis of this strength data it is possible to define the distance between the transmitter and the receiver in a known manner. In signal processing, the signal is amplified 43, filtered 44 and converted 45. From the distance obtained on the basis of the strength of the signal 40, the microprocessor 46 further determines position data 49 that is conveyed to a computer or a game console 50, and/or modifies the control information 48 to be conveyed to the treadmill control. The treadmill control may comprise

In connection therewith Applicant requests reconsideration by the Examiner of the arguments presented on pages 4 and 5 of its Response of October 6, 2005.


Moreover, Applicant wishes to emphasize that the gist of his invention is that it uses "secondary properties"; i.e. the properties existing in the normal use of the heart rate monitor. The point is that in the present invention, the strength changes in the signal obtained are used to determine the user's position. There is no disclosure or suggestion in the prior art of such a use of those strength changes as described in the present application.

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